

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

In re:	)	
	)	Chapter 11
OCONEE REGIONAL HEALTH	)	
VENTURES, INC.,	)	Case No. 17-51009-AEC
	)	
Debtor.	)	
	)	

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**NOTICE OF WITHDRAWAL OF THE REMAINING ADMINISTRATIVE EXPENSE  
CLAIMS FILED BY NAVICENT HEALTH BALDWIN, INC.**

Navicent Health, Inc. ("Navicent Health"), Navicent Health Oconee, LLC ("Navicent Oconee"), Oconee Regional Healthcare Foundation, Inc. ("Oconee Foundation") and Navicent Health Baldwin, Inc. ("Navicent Baldwin," together with Navicent Health, Navicent Oconee and Oconee Foundation, "Navicent"), by and through their undersigned counsel, hereby provide the Court and the parties in interest with notice of the following:

1. The Debtors filed these bankruptcy cases on May 10, 2016, which cases are jointly administered under Case No. 17-51005 (the "Bankruptcy Case").

2. Pursuant to an order entered by the Court on July 6, 2016 (the "Sale Order," Case No. 17-51005, Dkt. No. 270) and the asset purchase agreement related thereto, the Debtors sold substantially all of their assets to Navicent Oconee (as designee of Navicent Health) free and clear of all liens, claims and encumbrances pursuant to § 363 of the Bankruptcy Code (the "363 Sale"). The 363 Sale closed on October 1, 2017 (the "Closing Date"). *See* Case No. 17-51005, Dkt. No. 543.

3. Prior to the Closing Date, and in connection with the 363 Sale, the Debtor terminated substantially all of its employees. Certain of the Debtors' former employees were subsequently hired by Navicent Oconee. Subsequent to the Closing Date, the Debtors requested

that Navicent make certain of its employees that were formerly employed by the Debtors available to the Debtors for a limited period of time per week to, among other things, provide information to the Debtors necessary to assist the Debtors with their wind-down process. Navicent Oconee agreed to provide such services to the Debtors pursuant to the Transition Services Agreement dated November 16, 2017 (the “TSA”) between Navicent Oconee and the Debtors. The Court entered an order on December 18, 2017 approving the Debtors’ entry into the TSA. *See* Case No. 17-51005, Dkt. No. 599.

4. The rights and obligations of Navicent Oconee under the TSA were assigned to Navicent Baldwin on December 22, 2017.

5. On February 19, 2018, and July 19, 2018, Navicent Baldwin filed administrative expense proofs of claim in the Bankruptcy Cases of Oconee Regional Health Systems, Inc. (Claim No. 62, Case No. 17-51005), Oconee Regional Medical Center, Inc. (Case No. 17-51006, Amended Claim No. 185-2) and Oconee Regional Health Ventures, Inc. (Case No. 17-51009, Amended Claim No. 12-2) asserting and reserving its rights to, among other things, contribution and indemnification from the Debtors to the extent such entities are held liable under COBRA<sup>1</sup> as a result of or related to the 363 Sale (collectively the “COBRA Claims”).

6. On January 10, 2019, Navicent Baldwin provided notice that its administrative expense proofs of claims filed in the Bankruptcy Cases of Oconee Regional Health Systems, Inc. (Claim Nos. 63, 64 & 65, Case No. 17-51005), Oconee Regional Medical Center, Inc. (Case No. 17-51006, Claim No. 186) and Oconee Regional Health Ventures, Inc. (Case No. 17-51009, Claim No. 13), were being withdrawn. *See* Dkt. No. 912. *See also* Dkt. No. 907.

7. Navicent hereby withdraws its remaining administrative COBRA Claims.

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<sup>1</sup> For the purposes of this motion, “COBRA” means the Consolidated Omnibus Budget Reconciliation Act of 1985.

8. As a result, Navicent has no remaining administrative claims in Case Nos. 17-51005, 17-51006 or 17-51009.

9. Navicent has filed substantially identical versions of this notice in Case Nos. 17-51005, 17-51006 and 17-51009.

Respectfully submitted this 22nd day of January 2019.

**ALSTON & BIRD LLP**

By: /s/ **Dennis J. Connolly**

Dennis J. Connolly  
GA Bar No. 182275

By: /s/ **Aleia M. Hornsby**

Aleia M. Hornsby  
GA Bar No. 536096

1201 West Peachtree Street  
Suite 4900  
Atlanta, GA 30309-324  
T: 404-881-7000  
F: 404-881-7777  
dennis.connolly@alston.com  
aleia.hornsby@alston.com

*Attorneys for Navicent Health, Inc., Navicent Health Oconee, LLC, Navicent Health Baldwin, Inc. and Oconee Regional Healthcare Foundation, Inc.*

### **CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing document on the parties of record in this case via the Court's CM/ECF electronic filing system, and I also served copies of the foregoing document to the following interested parties via U.S. Mail, postage prepaid, to the following:

Office of the United States Trustee  
Attn: Elizabeth A. Hardy, Esq.  
440 Martin Luther King, Jr. Boulevard  
Suite 302  
Macon, Georgia 31201

Greenberg Traurig, LLP  
c/o John D. Elrod  
3333 Piedmont Road, NE  
Suite 2500  
Atlanta, GA 30305

**Dated:** January 22, 2020

**ALSTON & BIRD LLP**

/s/ Aleia M. Hornsby

*One of the attorneys for Navicent Health,  
Inc., Navicent Health Oconee, LLC, Navicent  
Health Baldwin, Inc. and Oconee Regional  
Healthcare Foundation, Inc.*